

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of CHAPMAN

Application No. Examiner:

Filed: Herewith Group Art Unit:

For: FIREARM SIGHTING DEVICE FOR VIEWING AROUND OBSTACLES

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97(b)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

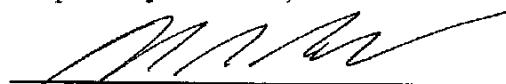
Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. The references were cited in the PCT search report. A copy of the Search Report is enclosed.

Certification

This Statement is being filed concurrently with the filing of the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of the above certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 5-17-06


J. Rodman Steele, Jr.
Registration No. 25,931
Mark D. Passler
Registration No. 40,764
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Tel: (561) 653-5000

Docket No. 784-115

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	
		Filing Date	
		First Named Inventor	CHAPMAN
		Art Unit	
		Examiner Name	
		Attorney Docket Number	784-115
Sheet	1	of	1

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

22 JAN 05

Applicant's or agent's file reference 54949PCT HKS:DIA:JO	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/AU2004/001590	International filing date (day/month/year) 18 November 2004	(Earliest) Priority Date (day/month/year) 18 November 2003
Applicant THE COMMONWEALTH OF AUSTRALIA et al		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report
 - a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
 - b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.
2. Certain claims were found unsearchable (See Box No. II).
3. Unity of invention is lacking (See Box No. III).
4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

FIREARM SIGHTING DEVICE FOR VIEWING AROUND OBSTACLES

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
 - a. the figure of the drawings to be published with the abstract is Figure No. 6

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.
 - b. none of the figures is to be published with the abstract.

Box No. IV Text of the Abstract (Continuation of item 5 of the first sheet)

Viewing device (10) includes a body enclosing first reflective surface or mirror (40), second reflective surface or mirror (42) and a means for securing the body to conventional sighting device or telescope (82) on a firearm. First mirror (40) is adapted to direct incoming light beam (44) onto second mirror (42) so that outgoing light beam (70) is angled relative to incoming light beam (44). In use, viewing device (10) can be releasably attached to rear end (80) of telescope (82) and allows user (90) to remain partially hidden behind obstacle (92) whilst viewing through sighting device (82) and using the firearm. The angular offset of respective light beams (44, 70) is between 35° and 60°.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001590

A. CLASSIFICATION OF SUBJECT MATTER																	
Int. Cl. 7: F41G 1/40																	
According to International Patent Classification (IPC) or to both national classification and IPC																	
B. FIELDS SEARCHED																	
Minimum documentation searched (classification system followed by classification symbols)																	
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched																	
AU: IPC F41G 1/40; G02B 23/18																	
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)																	
DWPI: IPC F41G 1/40																	
IPC G02B 23/18 with keywords such as rifle or similar terms.																	
USPTO: Sub-Class 42/118																	
ECLA: F41G1/40 with keywords offset, angle, incline, cover, hide or similar terms.																	
C. DOCUMENTS CONSIDERED TO BE RELEVANT																	
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.															
X	US 6643969 B (AVIZONIS, Jr) 11 November 2003 Whole document (see especially column 3, lines 18-41)	1-12, 16-22															
Y	Whole document	1-12, 16-22															
X	US 3863354 A (KARPPINEN) 4 February 1975 Whole document	1-4, 22															
Y	Whole document	1-12, 16-22															
X	US 880378 A (GEIS) 25 February 1908 Whole document	1-4, 22															
Y	Whole document	1-12, 16-22															
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C		<input checked="" type="checkbox"/> See patent family annex															
<p>* Special categories of cited documents:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">"A"</td> <td style="width: 10%; padding: 2px;">document defining the general state of the art which is not considered to be of particular relevance</td> <td style="width: 60%; padding: 2px;">"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td style="padding: 2px;">"E"</td> <td style="padding: 2px;">earlier application or patent but published on or after the international filing date</td> <td style="padding: 2px;">"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td style="padding: 2px;">"L"</td> <td style="padding: 2px;">document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reasons (as specified)</td> <td style="padding: 2px;">"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td style="padding: 2px;">"O"</td> <td style="padding: 2px;">document referring to an oral disclosure, use, exhibition or other means</td> <td style="padding: 2px;">"&" document member of the same patent family</td> </tr> <tr> <td style="padding: 2px;">"P"</td> <td style="padding: 2px;">document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </table>			"A"	document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E"	earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reasons (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O"	document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family	"P"	document published prior to the international filing date but later than the priority date claimed	
"A"	document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention															
"E"	earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone															
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reasons (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art															
"O"	document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family															
"P"	document published prior to the international filing date but later than the priority date claimed																
Date of the actual completion of the international search 16 December 2004		Date of mailing of the international search report 22 DEC 2004															
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6285 3929		Authorized officer JEFFREY CARL Telephone No: (02) 6283 2543															

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001590

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6604316 B (CUSTER) 12 August 2003 Whole document	11-12
A	US 708720 A (KÖNIG) 9 September 1902	
A	US 1269178 A (HAMILTON et al) 11 June 1918	

NOTE: For the 'Y' indications, either one of US 6643969 or US 6604316 may be combined with either one of US 880378 or US 3863354 for the claims indicated.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/AU2004/001590

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member
US	6643969	NONE
US	3863354	NONE
US	6604316	NONE

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX